



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Young Sook Cho,

Plaintiff,

-against-

Eun Sook Chu et al.,

Defendants.

1:21-cv-02297 (SDA)

ORDER

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

This case contains one or more claims arising under the Fair Labor Standards Act. Following a settlement conference with the undersigned, the parties reached a settlement. The parties thereafter consented to have all proceedings held before me. (ECF No. 69.) On September 6, 2023, the Court entered an Order directing the parties to submit the terms of the FLSA settlement and a joint letter explaining why the settlement is fair, reasonable and adequate under *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015), and providing the factual basis for any provision for attorney's fees. (See 9/6/2023 Order, ECF No. 70.) On September 21, 2023, the parties submitted their proposed settlement agreement and related papers. (9/21/2023 Joint Motion, ECF No. 73.)

Having reviewed the proposed settlement, the Court finds that it is fair and reasonable, given both the nature and scope of Plaintiff's individual claims as well as the risks and expenses involved in additional litigation. See *Wolinsky v. Scholastic, Inc.*, 900 F. Supp. 2d 332, 335-36 (S.D.N.Y. 2012). In addition, Plaintiff seeks approval of \$2,000 in attorney's fees and costs, which is one-third of the total settlement amount. (See 9/21/2023 Motion at 2; see also Time Records, ECF No. 73-4 (showing lodestar of \$55,950.00 for 112.20 hours).) "Contingency fees of one-third

or less in FLSA cases are routinely approved in this Circuit.” *Aguilar v. Tacos Grand Cent., Inc.*, No. 21-CV-01963 (AT), 2023 WL 2644285, at *2 (S.D.N.Y. Mar. 27, 2023) (citing *Gonzales v. 27 W.H. Bake, LLC*, No. 15-CV-04161, 2018 WL 1918623, at *4 (S.D.N.Y. Apr. 20, 2018) (collecting cases)). “Additionally, courts regularly award lodestar multipliers from two to six times lodestar.” *Ramos v. DNC Food Serv. Corp.*, No. 19-CV-02967 (VSB), 2022 WL 576300, at *2 (S.D.N.Y. Feb. 25, 2022) (citing cases). Accordingly, the Court finds that the requested attorney’s fees are fair and reasonable.¹

For these reasons, the Court approves the settlement. This action is dismissed with prejudice and without costs except as may be stated in the settlement agreement. The Clerk of Court is respectfully requested to close this case.

SO ORDERED.

Dated: New York, New York
September 22, 2023



STEWART D. AARON
United States Magistrate Judge

¹ In reaching this conclusion, the Court makes no findings with respect to the reasonableness of counsel’s requested hourly rate, given that the fee award is a fraction of the lodestar even with a much lower hourly rate.